1		Judge Coughenour	
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8	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON		
9	WESTERN DISTRICT OF	WINIMOTOTY	
10		) )	
11		NO. C05-0171C STIPULATION FOR	
12	UNITED STATES OF AMERICA,	) INTERLOCUTORY ) SALE OF THE REAL	
13	Plaintiff,	<ul><li>) PROPERTY LOCATED AT</li><li>) 4640 MOSQUITO LAKE ROAD,</li></ul>	
14	V.	) DEMING, WASHINGTON ) AND FORFEITURE OF A	
15	REAL PROPERTY LOCATED AT 1507 NE 341 <sup>st</sup> AVENUE,	) PORTION OF THE ) NET SALE PROCEEDS	
16	WASHOUGAL, WASHINGTON, its Buildings, Improvements, Appurtenances,	) )	
17	Fixtures, Attachments and Easements,	)	
18	REAL PROPERTY LOCATED AT 4640 MOSQUITO LAKE ROAD,	<ul><li>(Title vested in the name of Randolph E. Nolander)</li></ul>	
19	DEMING, WASHINGTON, its Buildings, Improvements, Appurtenances,	)	
20	Fixtures, Attachments and Easements, and	) )	
21	REAL PROPERTY IDENTIFIED AS TAX PARCEL # 370503 200310 0000 and 370503	) )	
22	152300 0000 LOCATED AT MOSQUITO LAKE ROAD,	) )	
23	DEMING, WASHINGTON, its Buildings, Improvements, Appurtenances, Fixtures, Attachments and Easements.	) )	
24	Fixtures, Attachments and Easements.	) )	
25 26	Defendants.	, ) ,	
27	The undersigned parties in this action, the	United States of America and Tamra	
28	The undersigned parties in this action, the	omed outes of runerica and rainia	
20	$^{ m \parallel}$ STIPULATION FOR THE INTERLOCUTORY SALE O	F	

STIPULATION FOR THE INTERLOCUTORY SALE OF 4640 MOSQUITO LAKE ROAD, DEMING, WA--1

1	Paranteau, William Paranteau, and Randolph E. Nolander by and through their respective
2	undersigned counsel, hereby stipulate and agree to the Interlocutory Sale of the real
3	property located at 4640 Mosquito Lake Road, Deming, Washington (hereinafter
	"defendant real property"), as follows:
5	1. This is a civil case, wherein the above identified property has been named
6	as a defendant asset in a civil forfeiture action, seeking forfeiture pursuant to Title 21,
	United States Code Section 991(a)(b) as muchoods of allowed violations of Title 21

- as a defendant asset in a civil forfeiture action, seeking forfeiture pursuant to Title 21, United States Code, Section 881(a)(6), as proceeds of alleged violations of Title 21, United States Code, Section 841(a)(1), and pursuant to Title 18, United States Code, Section 981(a)(1)(A), as property involved in money laundering transactions, or property traceable to such property, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).
- 2. The defendant real property is located in Whatcom County, State of Washington, and is more particularly described as follows:

THE SOUTH HALF OF THE FOLLOWING DESCRIBED TRACT; THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER EXCEPT THE SOUTH 330 FEET THEREOF, IN SECTION 2, TOWNSHIP 38 NORTH, RANGE 5 EAST OF W.M., IN WHATCOM COUNTY, WASHINGTON, EXCEPT ROAD.

Tax Parcel No. 380502 332190 0000

The defendant real property was acquired by Randolph Nolander in 1997.

- 3. The parties, Tamra Paranteau, William Paranteau and Randolph Nolander, titled owner of the property, hereby stipulate and agree that it is in the best interest of all the parties for the property to be sold in an interlocutory sale to avoid economic waste, to pay off the deed of trust beneficiary and to deposit the remaining funds after deduction of the costs of the sale, to be held as a substitute <u>res</u> during the pendency of the civil forfeiture litigation.
  - 4. The purchase price of the defendant real property will be a cash price.
  - 5. The parties agree that the net proceeds from the sale of the defendant real

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1	property will include all money realized from the sale of the defendant property, except		
2	the following, which, upon closing of the sale, are to be disbursed as follows:		
3	a) real estate commissions, if any, and any other costs associated w	ith	
4	the marketing and sale of the defendant real property;		
5	b) The amounts due the lienholder, Washington Mutual, pursuant to	its	
6	promissory note and deed of trust. Whatcom Land Title, Co., the	e	
7	escrow agent, will submit to the United States at the time of clos	ing,	
8	an itemized statement of all funds due to pay in full on the note a	and	
9	deed of trust.		
10	c) Amounts due the holder of any other valid liens which were		
11	recorded prior the time plaintiff's notice of Lis Pendens was		
12	recorded, including		
13	i) Real estate property taxes which are due and owing;		
14	ii) Insurance costs, if any, paid by the lienholder, Washington		
15	Mutual;		
16	d) Escrow fees;		
17	e) Document recording fees not paid by the buyer;		
18	f) Title fees; and		
19	g) County transfer taxes.		
20	9. The balance of the sale proceeds, including the earnest money payment a	ınd	
21	down payment, will be paid by the escrow agent to the United States in the form of a		
22	check issued to the United States Marshals Service to be deposited in the United States		
23	Marshal's Service Seized Asset Deposit Fund pending the conclusion of the forfeiture		
24	proceedings and further order of the Court.		
25	10. Plaintiff and Claimants Tamra Paranteau, William Paranteau, and		
26	Randolph E. Nolander hereby agree to substitute the net sales proceeds realized from the		
27	sale of the defendant property as a "substitute res" for the defendant real property in this		
28	CTIDLE ATION FOR THE INTERLOCUTORY CALE OF		

lawsuit and as substitute property in any related criminal case. The Court shall retain jurisdiction over the net sales proceeds until the conclusion of the forfeiture proceedings. 2 11. The claimants and Randolph E. Nolander further agree to the entry of a 3 Consent Judgment of Forfeiture, forfeiting the net proceeds of the interlocutory sale of 4 the defendant real property located at 4640 Mosquito Lake Road, Deming, Washington, 5 as set forth in the plea agreement of William Paranteau in case no. CR05-0275RSM, 6 after William Paranteau is sentenced. 7 13. Petitioners Tamra Paranteau, William Paranteau and Randolph Nolander 8 agree to release and hold harmless the United States, the United States Department of 9 Justice, the Drug Enforcement Administration, and any agents, servants, and employees 10 of the United States acting in their individual or official capacities, from any and all 11 claims by Tamra Paranteau, William Paranteau and Randolph Nolander and their agents 12 which currently exist or which may arise as a result of the United States' forfeiture action 13 against the above listed real property, and seizure and forfeiture of the above-listed real 14 15 property. 14. Claimants Tamra Paranteau, William Paranteau and Randolph Nolander 16 understand and agree that by entering into this Stipulation for Interlocutory Sale they 17 waive any rights to further litigate against the United States their interest in the above-18 listed real properties. 19 20 // // 21 22 // // 23 24 // // 25 // 26 27

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1	15. Each party shall bear its own attorneys fees and related costs in	
2	association with this Stipulation.	
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4	DATED this day of	, 2005.
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6		Respectfully submitted,
7		JOHN McKAY
8	lal Biohard E. Cahan	lal Dan C. Olaan
9	/s/ Richard E. Cohen RICHARD E. COHEN	/s/ Per C. Olson PER C. OLSON
10	Assistant United States Attorney 700 Stewart Street, Suite 5220	Attorney for Tamra L. Paranteau Hoevet Boise & Olson, P.C.
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12	Richard.E.Cohen@usdoj.gov	Polson@hoevet-boise.com
13 14 15 16 17 18 19 20	/s/ Sarah Y. Vogel SARAH Y. VOGEL Assistant United States Attorney 700 Stewart Street, Suite 5220 Seattle, Washington 98101-1271 206-553-7970; fax 206-553-4440 Sarah.Vogel@usdoj.gov  /s/ Marc D. Blackman MARC D. BLACKMAN Attorney for William C. Paranteau	/s/ Tamra L. Paranteau TAMRA L. PARANTEAU Claimant  /s/ Randolph Nolander RANDOLPH NOLANDER
21 22 23	Ransom Blackman, LLP 1001 S.W. Firth Avenue, Suite 1400 Portland, Oregon 97204-1144 503-228-0487; 503-227-5984 (fax) Marc@ransomblackman.com	
24	/s/ William C. Paranteau	
25	WILLIAM C. PARANTEAU Claimant	
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28 STIPULATION FOR THE INTERLOCUTORY SALE OF 4640 MOSQUITO LAKE ROAD, DEMING, WA--5

**ORDER** This Stipulation for Interlocutory Sale is hereby approved. DATED this 27th day of July, 2005. UNITED STATES DISTRICT JUDGE